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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,056	01/30/2004	Hiroyuki Ishida	02008.142001	7031

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ROSENTHAL & OSHA L.L.P.
Suite 2800
1221 McKinney Street
Houston, TX 77010

EXAMINER

LE, KHANH H

ART UNIT PAPER NUMBER

2875

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/769,056	Applicant(s) ISHIDA ET AL.	
	Examiner Khanh H. Le	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-5 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Receipt of the response filed November 22, 2005 is acknowledged. Claims 1-3 and 5 are amended; claim 6 is cancelled. Amendment of the specification is included in the response.

Claim Objections

2. Claim 2 is objected to because of the following informality:

Claim 2, line 2, "read" should be change to --rear--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1 and 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Du et al. (US Patent No. 6,945,672) in view of Deves (US Patent No. 4,562,519).
5. With respect to claims 1, 3 and 4, Du teaches a vehicular headlamp having:

a semiconductor light emitting device (12) facing in a direction substantially perpendicular to a forward direction (see Figure 1);

a reflector (16) having an aperture (18) in a front side to surround the light emitting device (12), wherein the reflector (16) has an optical center (unnumbered) thereof in proximity of the semiconductor light emitting device (12) (Col. 5, lines 52-55), and reflects light incident (30) from the semiconductor light emitting device (12) toward the front side;

a light transmitting member (unnumbered, see details in Fig. 8) configured to cover the light emitting device (12), wherein the light transmitting member deflects a part of light generated by the semiconductor light emitting device toward the front side (40) and transmits another part of the light (30) generated by the semiconductor light emitting device (12) toward the reflector (16); and

a lens (24) disposed in the front side, wherein the lens (24) receives the reflected light (30) by the reflector and the deflected light (40) by the light transmitting member (unnumbered).

Du does not teach shaping the reflector of the headlamp in a partial semi-elliptical shape.

Deves teaches that the size of a vehicular headlamp can be reduced while maintaining an equal emission of flux by employing an elliptical reflector (1) (Col. 1, lines 11- 14) and a light blocking member (5), provided between the light emitting member (3) and the lens (4). The blocking member blocks a part of the light generated by the light emitting device (3), and ~~wherein~~

the reflector (1) converges the reflected light in the vicinity of an edge (6) of the light blocking member (5). The lens (4) forms at least a part of a cut line for defining a boundary between a bright region and a dark region in a light distribution pattern of said vehicular headlamp based on a shape of said edge of said light blocking member (Fig. 1).

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the surface shape of the reflector and add a light blocking member between the semiconductor light emitting device and the lens, as taught by Deves, so that Du's headlamp is less bulky while maintaining an equal emission of flux. The resulting device would allow the light transmitting member in Du's headlamp to deflect forward a part of the light generated by the semiconductor light emitting device to make the part of the light pass in the vicinity of the edge of the light blocking member.

6. With respect to claim 5, Du discloses a vehicular headlamp having the reflector (16) reflect the light (30) generated by the semiconductor light emitting device (12) toward a substantially horizontal direction (32), and the light transmitting member (unnumbered) deflects a part of light (40) generated in the forward direction by the semiconductor light emitting device, toward the substantially horizontal direction (40).

Allowable Subject Matter

7. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yagi (US Publication No. 2004/0174712), Albou (US Publication No. 2003/0202359) and Sazuka et al. (US Patent No. 6,951,416) disclose numerous features of a vehicular headlamp described in this invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh H. Le whose telephone number is (571) 272-8325. The examiner can normally be reached on Monday - Friday, 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on (571) 272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh H. Le
Examiner
Art Unit 2875

KHL


RENEE LUEBKE
PRIMARY EXAMINER